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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,282	07/19/2001	Yasushi Yamade	011350-283	2056

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Platon N. Mandros
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

CAO, DIEM K

ART UNIT	PAPER NUMBER
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2194

MAIL DATE	DELIVERY MODE
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02/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/910,282

Applicant(s)

YAMADE, YASUSHI

Examiner

Diem K. Cao

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-10, 13-18, 23-30 and 32-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-10, 13-18, 23-30 and 32-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.


Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____


DIEM K. CAO
CHIEF, PATENT EXAMINER

DETAILED ACTION

1. Claims 4-10, 13-18, 23-30 and 32-46 are pending. Applicant has amended claims 4, 13, 23, 32 and added new claims 33-46 and canceled claims 1-3, 11-12, 19-22 and 31.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/2007 has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 40-46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 40 recites the limitation "the control program" in 7. There is insufficient antecedent basis for this limitation in the claim.

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 36, 41, 42, 45 and 46 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 36 recites “wherein the plurality of region dependent message blocks contain information written in languages dependent on the regions, respectively”, which is not supported by the original filed specification. The specification seems to disclose the region dependent message blocks contain information includes language information used for that region. Examiner interprets the claim in this manner for examination purpose.

Claim 42 suffers the same problem as claim 36 above.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 4-6, 10, 13-15, 23-25, 29-30 and 32-36, 40-42 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishikawa et al. (7,280,245 B1).

As to claim 4, Nishikawa teaches a step for installing a printer driver stored on a recording medium on a computer terminal (abstract), comprising:

- a step of automatically referring to regional information (First, a local ID is acquired from a temporary storage file; col. 10, lines 12-13) identifying a particular region (assume that 411 indicative of Japan is stored as a local ID; col. 10, lines 9-10 and lines 44-45), the regional information being set in the computer terminal in advance (local ID is stored in a file; col. 10, lines 12-13),
- a selection step of automatically selecting a piece of setup information from multiple pieces of setup information stored on the recording medium on the basis of the referred to regional information (Next, based on the acquired local ID, a resource file name corresponding to the local ID is acquired; col. 10, lines 13-14 and col. 8, lines 36-46), the multiple pieces of setup information corresponding to multiple different regions, respectively (a resource file name ... is Cpcr411.dll; col. 8, lines 36-46 and col. 10, lines 44-45); and
- a step of installing a control program contained in the printer driver (the graphic engine 202 ... to the host computer; col. 5, lines 55-60) and the selected piece of setup information on the computer terminal (Next, the resource file is loaded ... as a display language resource; col. 10, lines 22-35), wherein the control program is common to the different regions (inherent from there is only one printer driver

for the printer, and multiple resource files for multiple region, wherein the correct resource file for the identified region is loaded and setup at runtime).

As to claim 5, Nishikawa teaches the selection step is executed by using a setup selection module contained in the control program (col. 8, lines 21-26).

As to claim 6, Nishikawa teaches the setup information includes language information used for displaying the status of printing conditions on a screen (col. 9, lines 44-50).

As to claim 10, Nishikawa teaches the regional information set in the computer terminal in advance includes information concerning languages set in the computer terminal (col. 9, lines 44-50).

As to claim 13, see rejection of claim 4 above. Nishikawa further teaches a computer-readable medium storing a printer driver containing a control program (col. 5, lines 45-47) and multiple pieces of setup information corresponding to each regional information (a resource file name ... is Cpcr411.dll; col. 8, lines 36-46 and col. 10, lines 44-45), and an installation program for installing the printer driver to a computer terminal (col. 5, lines 55-57).

As to claim 14, see rejection of claim 5 above.

As to claim 15, see rejection of claim 6 above.

As to claim 23, see rejection of claim 4 above.

As to claims 24-25, see rejections of claims 5-6 above.

As to claim 29, see rejection of claim 10 above.

As to claim 30, Nishikawa teaches wherein the plurality of pieces of setup information are stored in a computer-readable recording medium (col. 5, lines 45-47) and col. 8, lines 40-42).

As to claim 32, it is the same as the method claim of claim 4 above except this is a computer product claim and is rejected under the same ground of rejection.

As to claim 33, Nishikawa teaches a method for installing a device driver on a computer terminal, comprising the steps of:

- providing a region independent control program block (printer driver; col. 5, lines 45-47) and a plurality of region dependent message blocks (a resource file name ... is Cpcr411.dll; col. 8, lines 36-46 and col. 10, lines 44-45), and
- installing the device driver customized to one of the regions where the computer terminal belongs, by installing the region independent control program (the graphic engine 202 ... to the host computer; col. 5, lines 55-60) and one of the

plurality of region dependent message blocks in accordance with the region where the computer terminal belongs (Next, the resource file is loaded ... as a display language resource; col. 10, lines 22-35).

As to claim 34, Nishikawa teaches detecting the region where the computer terminal belongs by checking regional information set in the computer terminal in advance (First, a local ID is acquired from a temporary storage file; col. 10, lines 12-13, assume that 411 indicative of Japan is stored as a local ID; col. 10, lines 9-10 and lines 44-45, and local ID is stored in a file; col. 10, lines 12-13), and selecting one of the plurality of region dependent message blocks on the basis of the detected region (Next, based on the acquired local ID, a resource file name corresponding to the local ID is acquired; col. 10, lines 13-14 and col. 8, lines 36-46).

As to claim 35, see rejection of claim 5 above.

As to claim 36, Nishikawa teaches wherein the plurality of region dependent message blocks contain language information dependent on the regions, respectively (col. 9, lines 44-50).

As to claims 40 and 45, see rejections of claim 33-34 above.

As to claim 42, see rejection of claim 36 above.

As to claim 41, see rejection of claim 35 above.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 7, 8, 16-17, 26-27, 37-38 and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (7,280,245 B1) in view of Yeung (U.S. 6,426,798 B1).

As to claim 7, Nishikawa does not explicitly teach wherein the setup information includes information on printing paper sizes to be used on the printer. However, Yeung teaches the setup information includes information on printing paper sizes to be used on the printer (the size and layout of the papers supported by the printer device; col. 8, line 67 – col. 9, line 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Yeung to the system of Nishikawa because Yeung teaches defining a data structure for a universal printer description data file which can be implemented for virtually any printer and virtually any operating system, thereby enabling a printer driver to interface with the printer regardless of the operating system being utilized by the computer system (col. 2, lines 21-43).

As to claim 8, Nishikawa does not teach wherein the setup information includes information on measurement unit systems to be used for setting up printing condition. However Yeung teaches the setup information includes all the printer related data such as Paper, PaperHandling, Color, Platform, Language (See Figs. 3 and 4 and associated text). Although Yeung does not explicitly teach information on measurement unit systems, it would have been obvious to one of ordinary skill in the art that the information on measurement unit system would be one of printer related data and included in the setup information.

As to claims 16-17, see rejections of claims 7-8 above.

As to claims 26-27, see rejections of claims 7-8 above.

As to claims 37-38, see rejections of claims 8 and 7 above, respectively.

As to claims 43-44, see rejections of claims 8 and 7 above, respectively.

11. Claims 9, 18, 28, 39 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (7,280,245 B1) in view of Garney (U.S. 6,081,850).

As to claim 9, Nishikawa does not explicitly teach the selection step comprising the steps of referring to a table that correlates the regional information with addresses

where each piece of setup information is stored, and selecting a piece of setup information from multiple pieces of setup information by specifying an address corresponding to the regional information.

However, Nishikawa teaches the piece of setup information is provided according to the location of the printer driver (col. 8, lines 40-42). Garney teaches device drivers are stored on a mass storage device of a computer system (col. 6, lines 1-10), the mass storage device has a look up table which maps each type of the card to a memory area of the mass storage device, and the device driver to control the card is stored in the memory area (col. 4, lines 44-55), and selecting one of the driver by specifying an address (point directly to the location on the mass storage device of the device driver; col. 9, lines 22-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Harding and Garney because it would improve the performance of Harding system by referring directly to the locations of the software that need to be installed.

As to claim 18, see rejection of claim 9 above.

As to claim 28, see rejection of claim 9 above.

As to claim 39, see rejection of claim 9 above.

As to claim 46, see rejection of claim 9 above.

Response to Arguments

12. Applicant's arguments with respect to claims 4-10, 13-18, 23-30 and 32-46 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The examiner can normally be reached on Monday - Friday, 7:30AM - 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

D.C.
Jan 31, 2008


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER